

FILED

APR 06 2012

IN THE UNITED STATES DISTRICT COURT FOR

THE WESTERN DISTRICT OF OKLAHOMA

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY Guh DEPUTY

ANTONE LAMANDINGO KNOX,

Petitioner,

vs.

RANDALL G. WORKMAN, Warden,
et al.,

Respondents.

No. CIV-12-260-W

ORDER

On March 12, 2012, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this matter and recommended that the Petition for a Writ of Habeas Corpus ("Petition") filed by petitioner Antone Lamandingo Knox pursuant to title 28, section 2241 of the United States Code be dismissed. Knox was advised of his right to object, and the matter now comes before the Court on Knox's Motion [for] Order to Stay Proceedings While Requiring Special Report [Doc. 8], which the Court has construed in part as an objection to the Report and Recommendation.

Upon de novo review of the record, the Court concurs with Magistrate Judge Purcell's suggested disposition of this matter. The Court further finds that a stay of this habeas proceeding so that the respondents and various mental health care providers may take certain actions is not warranted because the claims asserted in Knox's Petition are not cognizable under section 2241.

Accordingly, the Court

- (1) ADOPTS the Report and Recommendation [Doc. 7] issued on March 12, 2012;
- (2) DISMISSES Grounds One, Two, Three and Four asserted in Knox's Petition

[Doc. 1] without prejudice to refiling in an action seeking relief under title 42, section 1983 of the United States Code, assuming such grounds are not repetitive of claims for relief asserted in lawsuits previously filed under section 1983 by Knox in this judicial district; and

(3) DENIES Knox's Motion [for] Order to Stay Proceedings While Requiring Special Report [Doc. 8] file-stamped March 16, 2012;

ENTERED this 6th day of April, 2012.



LEE R. WEST
UNITED STATES DISTRICT JUDGE